Canadian International Trade Tribunal

2011-2012

Departmental Performance Report

The Honourable James M. Flaherty
Minister of Finance

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CHAIRPERSON'S MESSAGE

I am pleased to present the 2011-2012 Departmental Performance Report (DPR) for the Canadian International Trade Tribunal (the Tribunal). The Tribunal's mandate is to provide Canadian and international businesses with access to fair, transparent and timely processes for the investigation of trade remedy cases and complaints concerning federal government procurement and for the adjudication of appeals on customs and excise matters. At the request of the Government, the Tribunal provides advice on tariff, trade, commercial and economic matters.

As forecasted in the Tribunal's 2011-2012 Report on Plans and Priorities (RPP), the number of new trade remedy cases in 2011-2012 remained the same as in the previous year. Similarly, the number of new appeals and procurement complaints remained at significant levels. In total, during 2011-2012, the Tribunal issued more than 150 decisions and orders under its various mandates.

As detailed in this report, in 2011-2012, the Tribunal completed several initiatives targeting investment in its people, sound management and improved service delivery, including a restructuring of its research and legal branches, which resulted in significant efficiency gains and savings for the Tribunal as a whole.

Other undertakings that deserve mention are the ongoing modernization of the Tribunal's rules of procedure, the positive results of the Tribunal's first client satisfaction survey, the implementation of an orientation program for its new employees and significant progress in the modernization of the Tribunal's information technology (IT) and information management (IM) functions.

These initiatives have helped the Tribunal continue to be a key player in Canada's trade remedy system by issuing fair, timely and transparent decisions. In doing so, the Tribunal continues to support the government priorities of strengthening the economy and enhancing its services to Canadians.

Stephen A. Leach
Chairperson

SECTION I—TRIBUNAL OVERVIEW

Raison d'être

The Tribunal provides Canadian and international businesses with access to fair, transparent and timely processes for the investigation of trade remedy cases and complaints concerning federal government procurement and for the adjudication of appeals on customs and excise matters. At the request of the Government, the Tribunal provides advice in tariff, trade, commercial and economic matters.

Responsibilities

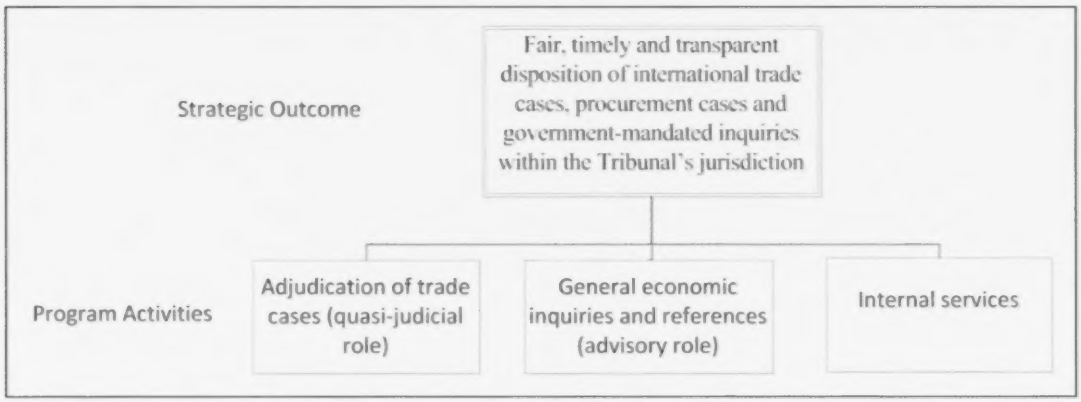
The Tribunal was established in December 1988 under the *Canadian International Trade Tribunal Act* (*CITT Act*). It acts as an independent, investigative and quasi-judicial decision-making body that reports to Parliament through the Minister of Finance. The Tribunal also derives authority from the *Special Import Measures Act* (*SIMA*), the *Customs Act* and the *Excise Tax Act*. The Tribunal's office is located in Ottawa, Ontario.

The Tribunal fulfils the following roles within the Government of Canada:

- inquires, under *SIMA*, into whether dumped or subsidized imports have caused, or are threatening to cause, injury to a domestic industry;
- inquires into complaints by potential suppliers concerning procurement by the federal government that is covered by the *North American Free Trade Agreement* (*NAFTA*), the *Agreement on Internal Trade* (*AIT*), the World Trade Organization (WTO) *Agreement on Government Procurement* (*AGP*), the *Canada-Chile Free Trade Agreement* (*CCFTA*), the *Canada-Peru Free Trade Agreement* (*CPFTA*) and the *Canada-Colombia Free Trade Agreement* (*CCOFTA*);
- hears appeals from decisions of the Canada Border Services Agency (CBSA) made under the *Customs Act* and *SIMA* and of the Minister of National Revenue under the *Excise Tax Act*;
- inquires into and provides advice on such economic, trade and tariff issues as are referred to the Tribunal by the Governor in Council or the Minister of Finance;
- investigates requests from Canadian producers for tariff relief on imported textile inputs used in their production operations and makes recommendations to the Minister of Finance on the requests; and
- undertakes safeguard inquiries into complaints by domestic producers that rapid build-ups of imports are causing, or threatening to cause, injury to domestic producers and, as directed, makes recommendations to the Government on an appropriate remedy.

Strategic Outcome and Program Activity Architecture

The chart below illustrates the Tribunal's complete framework of program activities which refers to the legislative area of its mandate.


Strategic Outcome
Fair, timely and transparent disposition of international trade cases, procurement cases and government-mandated inquiries within the Tribunal's jurisdiction
Program Activities
Adjudication of trade cases (quasi-judicial role)
General economic inquiries and references (advisory role)
Internal services

Organizational Priorities

Priority: Process Cases Within Statutory Deadlines and Maintain Quality Standards	**Type:** Ongoing	**Strategic Outcome:** Fair, timely and transparent disposition of international trade cases, procurement cases and government-mandated inquiries within the Tribunal's jurisdiction
The primary objective was to ensure that statutory deadlines were met and that the quality of the Tribunal's findings, determinations and recommendations was kept to the highest standards. • The Tribunal met this objective in all its cases. • The Tribunal has continued to review its rules of procedure to further streamline proceedings, reduce the paper burden imposed on parties and increase overall efficiency and transparency, while preserving procedural fairness and the protection of confidential information.		
Priority: Invest in Its People	**Type:** Ongoing	**Strategic Outcome:** Fair, timely and transparent disposition of international trade cases, procurement cases and government-mandated inquiries within the Tribunal's jurisdiction
The Tribunal uses a comprehensive approach to focus on professional development, in-house training material, succession planning and continuous learning to keep its employees' skills current. In 2011-2012, the Tribunal's investment in its people was as follows: • The Tribunal implemented an orientation program for its new employees that will accelerate the integration of new staff into the organization and their acquisition of knowledge. • The Tribunal drafted a procedures manual for appeal cases to promote consistency and to assure knowledge transfer to its new employees. Work to draft an internal procedures manual for procurement cases was also started.		

Priority: Sound Management	**Type:** Ongoing	**Strategic Outcome:** Fair, timely and transparent disposition of international trade cases, procurement cases and government-mandated inquiries within the Tribunal's jurisdiction
Promoting transparency and supporting overall government-wide management accountability priorities, including the Management Accountability Framework (MAF) and the commitments introduced under the *Federal Accountability Act*, continue to be priorities for the Tribunal. The projects undertaken in 2011-2012 included the following: • The Tribunal has maintained its focus on effective planning and rigorous management by transferring the work in the procurement and appeal areas of its mandate from the Research Branch to the Legal Branch. The transfer of that work provided significant savings and promoted greater efficiencies in the Tribunal's workload as a whole. • The Tribunal continued to improve the efficiency and reliability of its IT infrastructure in 2011-2012 by renewing its hardware and software to increase the performance, stability and maintenance of its network. • The Tribunal participated in its first Core Control Audit conducted by the Office of the Comptroller General. The Tribunal has acknowledged the recommendations from this audit and has prepared a management action plan that will be completed in early 2012-2013. • The Tribunal developed, as part of its IM action plan, a corporate file structure, which will be implemented in 2012-2013.		
Priority: Improve Service Delivery	**Type:** Ongoing	**Strategic Outcome:** Fair, timely and transparent disposition of international trade cases, procurement cases and government-mandated inquiries within the Tribunal's jurisdiction
Continuous improvement in service delivery remained a priority for the Tribunal in 2011-2012. The improvements were as follows: • The Tribunal retained an independent research firm to conduct its first client satisfaction survey. The survey measured the level of client satisfaction with the Tribunal's services, tools and processes, and in their interaction with the Tribunal's staff. The overall results were highly favourable. In 2012-2013, the Tribunal will look at ways to improve the delivery of its services to its users and stakeholders on the basis of the results of this survey. • The Tribunal finalized preparations for a pilot project for an electronic questionnaire that will allow respondents to save time and check for errors when they provide information to the Tribunal. Once this initiative is fully implemented in 2012-2013, it will translate into significant efficiency gains for the Tribunal's stakeholders and the Research Branch, as it will reduce the time and resources spent on entering and validating data.		

Risk Analysis

Environmental Scan

In 2011-2012, the global economic environment remained uncertain, as the global economy faced significant challenges, the key one being the European sovereign debt and banking crisis.[1] The heightened uncertainty eased somewhat in the last quarter of the period, as policy initiatives to address the sovereign debt and banking crisis took effect.[2] Global financial markets showed continued weakness during 2011-2012, and prices for many commodities declined, crude oil being an exception.[3]

On balance, the global economy continued to grow during 2011-2012, but at a slower pace than previously and unevenly across regions.[4] In the United States, Canada's largest trading partner, the economy showed signs of renewed momentum in the second half of 2011, following very weak growth in the first half of the year. However, U.S. employment still remained significantly below pre-recession levels.[5] Europe entered a recession in the fourth quarter of 2011, from which it was not expected to recover until later in 2012.[6] In emerging and developing economies, growth slowed but remained strong, led by the developing economies of Asia.[7]

Despite the uncertain global economic conditions, the Canadian economy continued to grow in 2011-2012, albeit with considerable variation from quarter to quarter. Because of Canada's sound economic, fiscal and financial sector fundamentals, as well as resilient household and business spending and a timely government stimulus, Canada's real GDP

1. Department of Finance, *Jobs, Growth and Long-term Prosperity: Economic Action Plan 2012* (Ottawa: PWGSC, 2012) at 26, 31, 38, 40; *OECD Economic Outlook*, Vol. 2012/1 at 12; Bank of Canada, *Monetary Policy Report*, April 2012, at 3; International Monetary Fund, *World Economic Outlook*, April 2012, section xv, at 1-2.
2. *OECD Economic Outlook*, Vol. 2012/1 at 13; Bank of Canada, *Monetary Policy Report*, April 2012, at 4; Department of Finance, *Jobs, Growth and Long-term Prosperity: Economic Action Plan 2012* (Ottawa: PWGSC, 2012) at 26, 44; International Monetary Fund, *World Economic Outlook*, April 2012, at section xiii.
3. Department of Finance, *Jobs, Growth and Long-term Prosperity: Economic Action Plan 2012* (Ottawa: PWGSC, 2012) at 26, 31, 38, 40; *OECD Economic Outlook*, Vol. 2012/1 at 12; Bank of Canada, *Monetary Policy Report*, April 2012, at 3; International Monetary Fund, *World Economic Outlook*, April 2012, at 9.
4. *OECD Economic Outlook*, Vol. 2012/1 at 13-14; Department of Finance, *Jobs, Growth and Long-term Prosperity: Economic Action Plan 2012*(Ottawa: PWGSC, 2012) at 31.
5. Department of Finance, *Jobs, Growth and Long-term Prosperity: Economic Action Plan 2012* (Ottawa: PWGSC, 2012) at 26, 29, 35; Bank of Canada, *Monetary Policy Report*, April 2012, at 8-9, International Monetary Fund, *World Economic Outlook*, April 2012, at 56-57.
6. Department of Finance, *Jobs, Growth and Long-term Prosperity: Economic Action Plan 2012* (Ottawa: PWGSC, 2012) at 26; Bank of Canada, *Monetary Policy Report*, April 2012, at 7.
7. Department of Finance, *Jobs, Growth and Long-term Prosperity: Economic Action Plan 2012* (Ottawa: PWGSC, 2012) at 30; Bank of Canada, *Monetary Policy Report*, April 2012, at 11-12.

recovered to well above pre-recession levels—the best performance in the G-7 during the global recovery.[8]

The Tribunal's workload with regard to trade remedy cases remained steady in 2011-2012 compared to the previous year. Its appeals workload remained significant, notwithstanding Canada's low rates of duty, as Canadians and Canadian businesses continued to look for opportunities for cost savings. Similarly, the Tribunal continued to have a significant workload in terms of procurement complaints.

Risk Analysis

The following are the three key risks identified in the Tribunal management's 2011-2012 planning session:

1. ability to manage cases (issuing quality decisions within deadlines) during periods of peak workload and economic uncertainty;
2. ability to recruit and train new staff and transfer corporate memory during a period of staff turnover; and
3. ability to maintain an up-to-date IT infrastructure, efficient client services and proper recovery processes during a period of reinvestment.

The Tribunal was faced with a caseload similar to the one in the previous year, which helped to mitigate the risks identified in the 2011-2012 RPP. However, as the caseload for appeals and procurement complaints remained significant, the Tribunal revised its human resources plan to re-allocate some of its resources to those areas of its mandate. Also, the Tribunal continued to invest in its IT infrastructure by updating some of its hardware and software to increase the performance, stability and maintenance of its network.

Summary of Performance

The Tribunal's financial and human resources had a direct impact on its ability to achieve its strategic outcome and deliver on its program activities. The following sections highlight the Tribunal's performance and demonstrate linkages between resources and results.

2011-2012 Financial Resources ($ thousands)

Planned Spending	Total Authorities	Actual Spending
11,473	12,573	10,529

8. Department of Finance, *Jobs, Growth and Long-term Prosperity: Economic Action Plan 2012* (Ottawa: PWGSC, 2012) at 32, 37.

During the 2011-2012 fiscal year, the Tribunal's planned spending was $11.5 million. Through the Main Estimates and Supplementary Estimates, the Tribunal was allocated total authorities of $12.573 million, of which $1.58 million consisted of additional funding from the Treasury Board Management Reserve. Actual spending for the Tribunal was $10.5 million. The variance of $2 million from total authorities to actual spending can be attributed to fewer new trade remedy cases than were originally forecasted when additional funding was sought and approved.

2011-2012 Human Resources (FTEs)

Planned	Actual	Difference
91	78	13

The Tribunal normally operates with 77 full-time equivalents (FTEs). Additional funding from the Treasury Board Management Reserve received during 2011-2012 allowed the Tribunal to increase its budgeted FTEs to 91. The actual FTEs for 2011-2012 were 78, a decrease from 82 in 2010-2011. The variance of 13 FTEs from planned to actual human resources can be attributed to the smaller-than-anticipated number of new trade remedy cases.

Progress Toward Strategic Outcome

Strategic Outcome 1: Fair, timely and transparent disposition of international trade cases, procurement cases and government-mandated inquiries within the Tribunal's jurisdiction		
Performance Indicators	**Targets**	**2011-2012 Performance**
Tribunal decisions overturned by the Federal Court of Appeal and/or international appeal bodies	Not more than 2 percent of all decisions rendered over the most recent five-year period are overturned by the Federal Court of Appeal and/or international appeal bodies	1.77 percent[1] of all decisions rendered over the most recent five-year period were overturned by the Federal Court of Appeal and/or international appeal bodies (see the Judicial Review section of this document for more details)

Tribunal notices, decisions and guidelines are accessible to the public	100 percent of notices, decisions and guidelines for all areas of its mandate and practice notices are accessible to the public through the Tribunal's Web site, the *Canada Gazette* and/or MERX (Canada's electronic tendering service)	In 2011-2012, 100 percent of the Tribunal notices, decisions and guidelines were accessible to the public

1. The methodology has been modified to reflect the fact that, where a single remand decision is issued in respect of multiple cases, it is now accounted for as a single case. This is only applicable where the nature of the remand is identical for all the cases overturned and is intended to avoid overcounting by properly reflecting that the remanded cases were all in respect of the same parties and the same issue. Refer to Federal Court of Appeal dockets A-264-10, A-312-10, A-321-10 and A-39-11 for full details of these remands.

Performance Summary, Excluding Internal Services ($ thousands)

Program Activity	Actual Spending 2010-2011	2011-2012				Alignment to Government of Canada Outcomes
		Main Estimates	Planned Spending	Total Authorities	Actual Spending	
Adjudication of Trade Cases (quasi-judicial role)	6,881	7,228	7,228	7,921	6,633	Fair and secure marketplace
General Economic Inquiries and References (advisory role)	109	115	115	126	105	Fair and secure marketplace
Total	**6,990**	**7,343**	**7,343**	**8,047**	**6,738**	

Performance Summary for Internal Services ($ thousands)

Program Activity	Actual Spending 2010-2011	2011-2012			
		Main Estimates	Planned Spending	Total Authorities	Actual Spending
Internal Services	3,932	4,130	4,130	4,526	3,791

Strategic Environmental Assessment

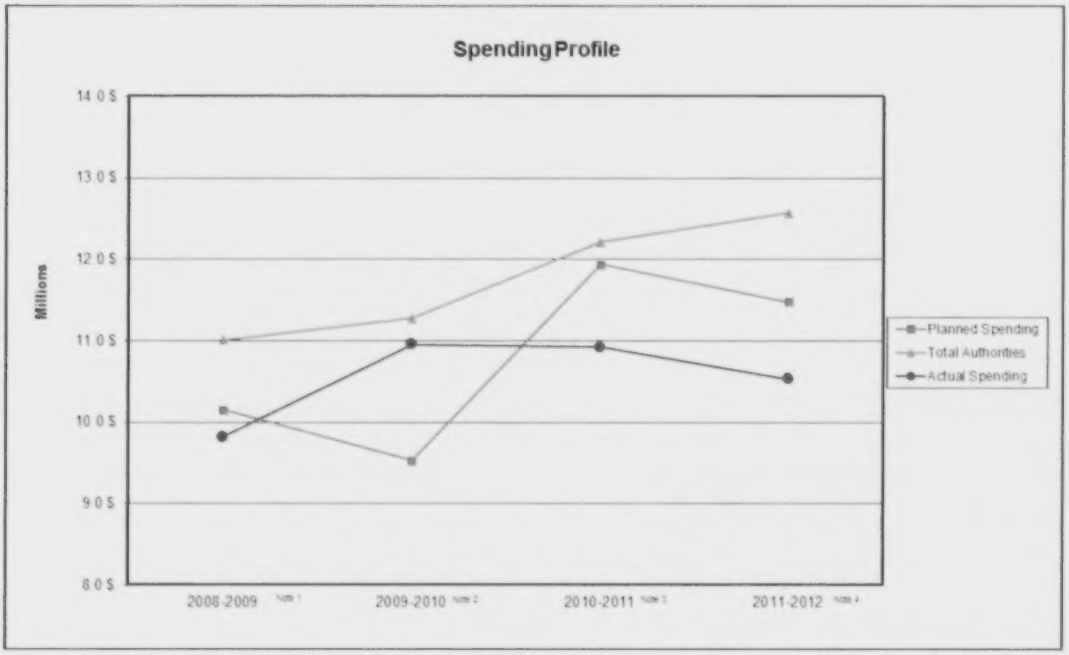
During 2011-2012, the Tribunal considered the environmental effects of initiatives subject to the *Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals*.[9] The Tribunal did not produce any public statements in 2011-2012.

Expenditure Profile

Planned and Actual Spending ($ thousands)

	2008-2009	2009-2010	2010-2011	2011-2012
Main Estimates	10,152	9,530	11,941	11,473
Planned Spending	10,152	9,530	11,941	11,473
Total Authorities	11,009	11,277	12,211	12,573
Actual Spending	9,819	10,952	10,922	10,529

For the period from 2008-2009 to 2011-2012, total spending includes all parliamentary appropriation: Main Estimates, Supplementary Estimates and Treasury Board Vote 15, and carry-forward adjustments.



9. *Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals*, http://www.ccaa.gc.ca/default.asp?lang=En&n=B3186435-1.

The fluctuations in spending and planned spending since 2007-2008 can be explained by the following three events:

1. In 2008-2009, $702,000 was placed in a frozen allotment that was unavailable to the Tribunal, as a result of the 2007 Strategic Review.
2. In 2009-2010, more resources were allocated to the Tribunal in order to alleviate a short-term operating budget shortfall resulting from an expected increase in trade remedy and procurement cases caused by the world economic recession. As a result, the Tribunal's actual spending increased by more than $1.1 million compared to 2008-2009, while its total authorities increased by close to $0.3 million.
3. In 2010-2011, the lower-than-anticipated trade remedy caseload resulted in a variance of more than $1.2 million between the total authorities approved and actual spending.
4. In 2011-2012, the lower-than-anticipated trade remedy caseload resulted in a variance of close to $2 million between the total authorities approved and actual spending.

Estimates by Vote

For information on the Tribunal's organizational votes and/or statutory expenditures for 2011-2012, please see *Public Accounts of Canada 2012*, Volume II. An electronic version is available on the Department of Public Works and Government Services' Web site.[10]

10. Public Accounts of Canada 2012, http://www.tpsgc-pwgsc.gc.ca/recgen/txt/72-eng.html.

SECTION II—ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

Strategic Outcome

Fair, timely and transparent disposition of international trade cases, procurement cases and government-mandated inquiries within the Tribunal's jurisdiction

Results under the Tribunal's three distinct program activities support its strategic outcome, which, in turn, contributes to Canada's competitiveness and to a fair and secure marketplace. The following section highlights the Tribunal's ongoing work under each program activity and its performance in 2011-2012.

Program Activity 1: Adjudication of Trade Cases (quasi-judicial role)

The Tribunal's adjudicative mandate is to provide a fair, timely and transparent trade remedy system for Canada's business sector, thereby preserving confidence in the Canadian market, for the benefit of Canadian businesses and consumers. The Tribunal acts as an independent, quasi-judicial decision-making body that derives its adjudication authority from the *CITT Act*, *SIMA*, the *Customs Act* and the *Excise Tax Act*. It operates within Canada's trade remedy system to apply existing laws and trade agreements that seek to address unfair competition in the domestic market or provide emergency protection against imported goods that are seen to cause injury to a domestic industry. The Tribunal also hears appeals from decisions of the Minister of National Revenue and the CBSA. It has also been designated as the bid challenge authority under *NAFTA*, the *AIT*, the *AGP*, the *CCFTA*, the *CPFTA* and the *CCOFTA* in the federal government procurement process.

In its quasi-judicial role, the Tribunal's caseload is comprised of the following:

- Unfair trade cases—inquiries under *SIMA* into whether dumped and/or subsidized imports have caused or are threatening to cause injury to a Canadian industry.
- Bid challenges—inquiries into complaints by potential suppliers concerning federal government procurement under *NAFTA*, the *AIT*, the *AGP*, the *CCFTA*, the *CPFTA* and the *CCOFTA*.
- Appeals of decisions of the CBSA under the *Customs Act* and *SIMA*, and of decisions of the Minister of National Revenue under the *Excise Tax Act*.
- Safeguard cases—inquiries into whether the rapid build-up of imports from the People's Republic of China, or from around the world, is causing injury to a Canadian industry.

2011-2012 Financial Resources ($ thousands)

Planned Spending	Total Authorities	Actual Spending
7,228	7,921	6,633

2011-2012 Human Resources (FTEs)

Planned	Actual	Difference
57	49	8

Expected Results	Performance Indicators	Targets	Actual Results
Tribunal's decisions are fair, impartial and based on quality information	Percentage of decisions under judicial review dealing specifically with "due process" that are overturned by the Federal Court of Appeal and/or international appeal bodies	Less than 1 percent of all decisions rendered are overturned by the Federal Court of Appeal and/or international appeal bodies on judicial review dealing specifically with "due process"	No decisions rendered were overturned by the Federal Court of Appeal and/or international appeal bodies on judicial review dealing specifically with "due process"
Decisions rendered within statutory deadlines	Percentage of decisions published within statutory deadlines	100 percent of statutory deadlines are met	100 percent of statutory deadlines were met
Decisions on appeals rendered within internal deadlines	Percentage of decisions on appeals published within internal deadlines	70 percent of internal deadlines are met	91 percent of internal deadlines were met

Performance Summary and Analysis of Program Activity

Trade Remedy Cases

The Tribunal issued decisions following three preliminary injury inquiries, one final injury inquiry, four requests for interim review, one interim review, two expiry processes and two expiry reviews. With regard to these 13 decisions, the Tribunal fully met its performance targets in terms of meeting statutory deadlines and making information available to the public.

Procurement Cases

In 2011-2012,77 decisions on procurement cases were issued, with 73 being subject to statutory deadlines. In addition, 18 orders relating to cost award, compensation and

postponement of award were issued. The Tribunal fully met its performance target in terms of meeting its statutory deadlines and making information available to the public.

Judicial Review

The Tribunal's decisions are ordinarily reviewed by the Federal Court of Appeal.[11] Over a five-year period between 2007-2008 and 2011-2012, the ratio of overturned decisions to decisions subject to judicial review or appeal was 1.77 percent for the period ending March 31, 2012, thereby meeting the Tribunal's target of not more than 2 percent. None of the cases that were overturned were vacated on a "due process" ground, which meets the Tribunal's target of less than 1 percent of decisions overturned for reasons of "due process". The following table shows the applications and disposal of requests for judicial review or appeals for the above five-year period. In summary, the Tribunal's strong record of its decisions being upheld on judicial review and appeal continued.

11. In rare cases, binational panels under *NAFTA* or other international trade agreements or a WTO dispute settlement panel are convened or called upon to review the Tribunal's *SIMA* findings. There were no new applications by parties for the review of the Tribunal's decisions before these panels over the last fiscal year. Where the Tribunal decides on an appeal under the *Excise Tax Act* and a party appeals the Tribunal's decision, the matter is heard by the Federal Court in a hearing *de novo*.

Treatment of Tribunal's Decisions Before the Federal Court of Canada	
	Five-year Period
Decisions subject to judicial review or appeal[1]	905
Decisions for which applications for judicial review or appeal were filed	168
Decisions for which applications for judicial review or appeal were withdrawn or discontinued	56
Decisions for which the applications for judicial review were dismissed	30
Decisions overturned[2]	16
Decision overturned on due process	0
Percentage of all decisions rendered that were overturned by the Federal Court of Appeal, the Federal Court or an international appeal body[3]	1.77
Percentage of all decisions rendered that were overturned by the Federal Court of Appeal and/or international appeal bodies on judicial review dealing specifically with "due process"	0

1. For the purpose of this table, cases are all decisions and reports issued, including decisions not to initiate procurement inquiries. The number of cases corresponds to that of the caseload table found in the Tribunal's Annual Report and excludes withdrawals.
2. Overturned also includes decisions remanded to the Tribunal.
3. The methodology has been modified to reflect the fact that, where a single remand decision is issued in respect of multiple cases, it is accounted for as a single case. This is only applicable where the nature of the remand is identical for all the cases overturned and is intended to avoid overcounting by properly reflecting that the remanded cases were all in respect of the same parties and the same issue. Refer to Federal Court of Appeal dockets A-264-10, A-312-10, A-321-10 and A-39-11 for full details of these remands.

Appeal Cases Issued Within Internal Deadlines

In 2011-2012, the Tribunal issued 35 appeal decisions, as well as 8 decisions on extension of time. There is no legislative deadline imposed for appeals of decisions of the CBSA or of the Minister of National Revenue. However, the Tribunal has adopted a voluntary internal standard of issuing such decisions within 120 days of the hearing of an appeal. Of the 35 appeal decisions issued in this fiscal year, 32 (91 percent) were issued within this self-imposed standard. The Tribunal exceeded its target of meeting the standard at least 70 percent of the time.

Information Available to the Public

All notices, practice notices, decisions and guidelines pertaining to the Tribunal's mandate were published on the Tribunal's Web site and, in the case of statutorily required notices, published in the *Canada Gazette* or on MERX. In the matter of *SIMA*, procurement and appeal cases, all decisions were distributed to interested parties.

Lessons Learned

In 2011-2012, as part of its response to its MAF assessment, the Tribunal retained an independent research firm to conduct its first client satisfaction survey. The survey measured the level of client satisfaction with the Tribunal's services, tools and processes, and in their interaction with the Tribunal's staff.

Across almost all areas examined in the survey (i.e. satisfaction with the Tribunal's staff, satisfaction with oral and written hearing processes, safeguarding of confidential information, reasons for decisions), the results revealed high levels of overall satisfaction.

A few areas representing an opportunity for improvement were identified, such as procedures for accessing the electronic record, the ease of completing questionnaires electronically, the Web site and e-filing. For each of these items, the Tribunal has developed an action plan, which will be communicated to stakeholders through a management response.

This first client satisfaction survey has proven to be a very helpful tool to evaluate the quality of service provided by the Tribunal and to ensure that it focuses its resources in areas that matter to clients and that enhance its reputation for providing access to fair and efficient processes.

Program Activity 2: General Economic Inquiries and References (advisory role)

In its advisory role, the Tribunal's caseload is comprised of three types of cases. First, the Tribunal plays an advisory role, when requested by the Government, to recommend measures to alleviate injury to domestic producers pursuant to a safeguard inquiry. Second, the Government may also periodically direct the Tribunal to inquire into general economic, trade or tariff matters. In such inquiries, the Tribunal has the power to conduct research, receive submissions, hold hearings and report with recommendations, as required, to the Government or the Minister of Finance.

Third, the Tribunal has received a standing reference from the Minister of Finance to investigate requests from domestic textile producers for tariff (import tax) relief on imported textile inputs for use in their manufacturing operations and to make recommendations to the Minister of Finance that would maximize the net economic benefit to Canada.

The Tribunal has not received a reference from the Government with regard to safeguard remedies since August 2005, nor since November 2005 with regard to economic, trade or tariff matters.

2011-2012 Financial Resources ($ thousands)

Planned Spending	Total Authorities	Actual Spending
115	126	105

2011-2012 Human Resources (FTEs)

Planned	Actual	Difference
1	1	0

Expected Results	Performance Indicators	Targets	Actual Results
Tribunal's recommendations on economic, trade and tariff matters and the standing textile reference are fair, impartial and based on quality information	Percentage of recommendations and reports that meet the terms of reference and provide requested information	100 percent of recommendations meet the terms of reference and provide requested information	N/A
Reports and recommendations to Government or Minister of Finance published within statutory deadlines	Percentage of reports and recommendations to Government or Minister of Finance that are published within statutory deadlines	100 percent of reports and recommendations are published within statutory deadlines	N/A

Performance Summary and Analysis of Program Activity

In the context of its standing textile reference, the Tribunal ordinarily issues its recommendations, with reasons, to the Minister of Finance within 100 days from the date of commencement of the inquiry. In exceptional cases, where the Tribunal determines that critical circumstances exist, it will issue its recommendations within an earlier specified time frame.

During the 2011-2012 fiscal year, the Tribunal did not receive any new requests for tariff relief on textile inputs. However, the Tribunal still allocated modest human and financial resources to this program activity in order to maintain a core level of knowledge and expertise in this highly specialized area should the need again arise. Further, the Tribunal is required to report on the standing textile reference in its annual report and devotes an entire chapter to this area of its mandate.

As noted above, the Tribunal has not received any references from the Government since 2005-2006.

Lessons Learned

In light of the significant reduction and/or elimination of tariffs on textile inputs, activity under the standing textile reference has declined significantly over the last five years, and the Tribunal will consider further reducing the resources allocated to this activity.

Program Activity 3: Internal Services

The Internal Services program activity supports all strategic outcomes and is common across Government. Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. These groups are management and oversight services; communications services; legal services; human resources management services; financial management services; IM services; IT services; real property services; materiel services; acquisition services; and travel and other administrative services. Internal Services include only those activities and resources that apply across an organization and not those provided specifically to a discrete program.

2011-2012 Financial Resources ($ thousands)

Planned Spending	Total Authorities	Actual Spending
4,130	4,526	3,791

2011-2012 Human Resources (FTE)

Planned	Actual	Difference
33	28	5

Performance Summary and Analysis of Program Activity

In 2011-2012, the Tribunal's supporting priorities remained investment in its people, sound management practices and improved service delivery.

Regarding investment in its people, the Tribunal implemented an orientation program for its new employees, which will accelerate the integration of new staff into the organization and their acquisition of knowledge. The Tribunal also invested in the documentation of processes and procedures, including the documentation of procedures for appeal cases and the compilation of a chronological correlation of related *SIMA* cases.

Under sound management practices, the Tribunal renewed, in 2011-2012, its Human Resources (HR) Delegation Instrument document. In keeping with current practice, the new document implements the continuous modernization of today's HR governance model, which favours the decentralization of certain HR duties so as to, in the end, increase efficiency while minimizing risks. In addition, the Tribunal developed, as part of its IM action plan, its corporate file structure, which will be implemented in 2012-2013.

Finally, the Tribunal participated in its first Core Control Audit conducted by the Office of the Comptroller General. The Tribunal has acknowledged the recommendations from this audit and prepared a management action plan that will be completed in early 2012-2013.

Also in 2011-2012, the Tribunal completed preparations for a pilot project for an electronic questionnaire that will allow respondents to save time and check for errors when they provide information to the Tribunal. Once this initiative is fully implemented in 2012-2013, it will translate into significant efficiency gains for the Tribunal's stakeholders and the Research Branch, as it will reduce the time and resources spent on entering and validating data.

Lessons Learned

Improved Financial Forecasting

As part of sound management practices and in a context of budgetary constraints, the Tribunal has put an emphasis on financial planning and has been more proactive at developing financial forecasts. Those forecasts are updated and discussed with the management team on a monthly basis. This exercise has proven invaluable in capturing the short- and long-term financial impact of decisions and provides for better integrated planning.

SECTION III—SUPPLEMENTARY INFORMATION

Financial Highlights

($ thousands)

Condensed Statement of Financial Position
At End of Year (March 31, 2012)

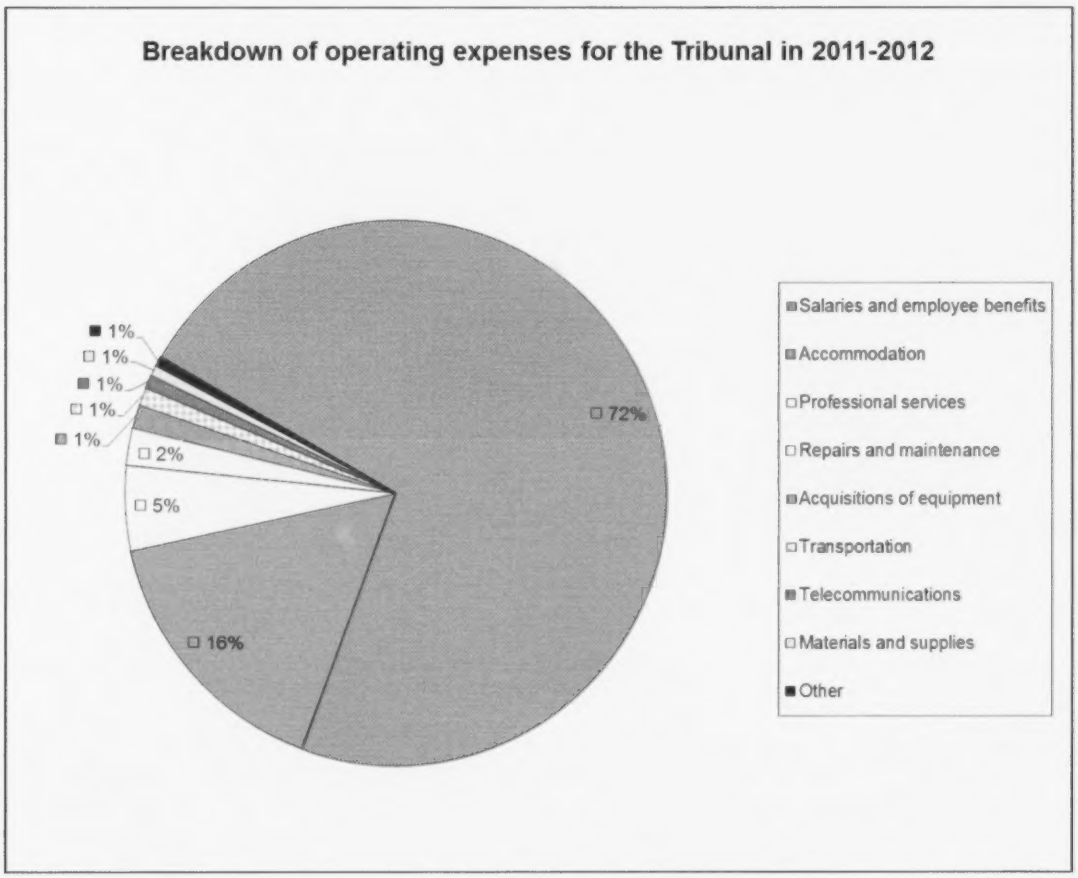
	Change ($)	2012	2011
Assets	200	1,064	864
Liabilities	(406)	2,076	2,482
Net Financial Position	606	(1,012)	(1,618)
Total	200	1,064	864

Condensed Statement of Operations and Departmental Net Financial Position
At End of Year (March 31, 2012)

	Change (%)	2012	2011
Total Expenses	(5)	12,809	13,475
Total Revenues	(50)	1	2
Net Cost of Operations	(5)	12,808	13,473

Financial Highlights Charts and Graphs
Expenses—Where Spending Goes

	2012 Total	2011 Total
Salaries and employee benefits	9,186	9,781
Accommodation	2,050	2,029
Professional services	645	819
Repairs and maintenance	280	222
Acquisitions of equipment	180	270
Transportation	135	100
Telecommunications	103	133
Materials and supplies	77	90
Other	152	29
Net cost of operations	12,808	13,473



Financial Statements

The Tribunal's financial statements are available at http://www.citt-tcce.gc.ca/publicat/index5_e.asp.

List of Supplementary Information Tables

Electronic supplementary information tables listed in the 2011–2012 Departmental Performance Report can be found on the Canadian International Trade Tribunal Web site.[1]

- Green Procurement

SECTION IV—OTHER ITEMS OF INTEREST

Organizational Contact

The Secretary
Canadian International Trade Tribunal
333 Laurier Avenue West
17th Floor
Ottawa, Ontario
K1A 0G7

Telephone: 613-993-3595
Fax: 613-998-1322
E-mail: secretary@citt-tcce.gc.ca
Tribunal's Web site: http://www.citt-tcce.gc.ca

Principal Legislation Governing the Work of the Canadian International Trade Tribunal

Canadian International Trade Tribunal Act	R.S.C. 1985 (4th Supp.), c. 47
Customs Act	R.S.C. 1985 (2d Supp.), c. 1
Excise Tax Act	R.S.C. 1985, c. E-15
Special Import Measures Act	R.S.C. 1985, c. S-15
Canadian International Trade Tribunal Regulations	S.O.R./89-35
Canadian International Trade Tribunal Procurement Inquiry Regulations	S.O.R./93-602
Canadian International Trade Tribunal Rules	S.O.R./91-499

Tribunal's Publications

For a complete list of the Tribunal's publications, please see the Tribunal's Web site at http://www.citt-tcce.gc.ca/publicat/index_e.asp.

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1. Green Procurement, http://www.citt-tcce.gc.ca/publicat/index_e.asp